



Dep/ref Room
807

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Shieh, et al. Docket: TSM02-1241
Serial No.: 10/721,979 Art Unit: 2818
Filed: 11/25/2003 Examiner: David Nhu
For: Method of Fabricating Semiconductor Device with Separate Periphery and Cell Region Etching Steps

Mail Stop PGPUB
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Request for Refund Under 37 CFR § 1.26

Dear Sir:

The above-referenced patent application has been assessed a fee of \$300.00. For the reasons stated below, Applicant submits that this fee was incorrectly charged due to non-publication of the application and requests a refund.

FACTS:

1. The present application was filed on November 25, 2003, and given a projected publication date of May 26, 2005, per the official Filing Receipt mailed February 25, 2004 (copy attached as Exhibit A).
2. On February 21, 2005, Applicants authorized the payment of the Issue Fee of \$1400.00 and the Publication Fee of \$300.00 to be charged to Deposit Account No. 50-1065 (copy of Part B – Fee(s) Transmittal attached as Exhibit B).
3. On February 22, 2005, Deposit Account 50-1065 was assessed said issue and publication fees (copy of redacted Deposit Account statement attached as Exhibit C).

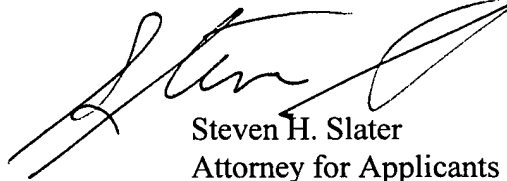
4. The present application issued as U.S. Patent No. 6,872,667 B1 on March 29, 2005, almost two months before the projected publication date. The application was not, in fact, published.

REMARKS:

Applicants respectfully request that the \$300.00 fee be refunded to Deposit Account No. 50-1065.

If the office should have any questions, it is requested that Applicants' attorney be contacted at the telephone number below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Steven H. Slater', is written over a horizontal line.

Steven H. Slater
Attorney for Applicants
Reg. No. 35,361

Slater & Matsil, L.L.P.
17950 Preston Rd., Suite 1000
Dallas, TX 75252-5793
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Applicant: Shieh, et al. Docket No.: TSM02-1241
Serial No.: 10/721,979 Art Unit: 2818
Filed: November 25, 2003 Examiner: David Nhu
For: Method of Fabricating Semiconductor Device with Separate Periphery and Cell Region Etching Steps

Certificate of Mailing via First Class Mail (37 C.F.R. § 1.8(a))

Date of Deposit: May 9, 2005

I hereby certify that the below listed correspondence is being deposited with the United States Postal Service on the date indicated above as first class mail in an envelope addressed to: Mail Stop PGPUB, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Certificate of Mailing via First Class Mail (1 page)

Request for Refund under 37 CFR § 1.26 (2 pages) including:

Exhibit A – Copy of Filing Receipt (2 pages);

Exhibit B – Copy of Part B – Fee(s) Transmittal (1 page); and

Exhibit C – Redacted Copy of Deposit Account Statement (2 pages)

Return Postcard

Respectfully submitted,

Natalie Swider
Legal Assistant

Slater & Matsil, L.L.P.
17950 Preston Rd., Suite 1000
Dallas, TX 75252
Tel: 972-732-1001
Fax: 972-732-9218

Exhibit A

ENTERED

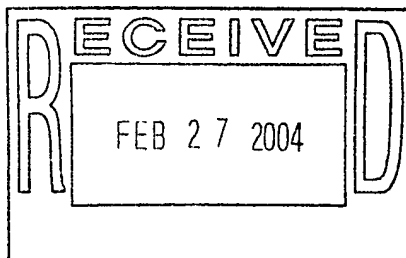
slater

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/721,979	11/25/2003	2812	824	TSM02-1241	3	23	3

25962
 SLATER & MATSIL, L.L.P.
 17950 PRESTON RD, SUITE 1000
 DALLAS, TX 75252-5793



CONFIRMATION NO. 6919

FILING RECEIPT



OC000000011967285

Date Mailed: 02/25/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Chang-Jen Shieh, Hsinchu, TAIWAN;
 Hung-Cheng Sung, Hsinchu, TAIWAN;

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted: 02/25/2004

Projected Publication Date: 05/26/2005

Non-Publication Request: No

Early Publication Request: No

Title

Method of fabricating semiconductor device with separate periphery and cell region etching steps

Preliminary Class

438

Exhibit A

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
(703) 746-4000

Exhibit B

or Fax

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

43859 7590 11/19/2004

SLATER & MATSIL, L.L.P.
17950 PRESTON ROAD, SUITE 1000
DALLAS, TX 75252



Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (703) 746-4000, on the date indicated below.

Kristin R. Hayes	(Depositor's name)
<i>K. Hayes</i>	(Signature)
February 21, 2005	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/721,979	11/25/2003	Chang-Jen Shieh	TSM02-1241	6919

TITLE OF INVENTION: METHOD OF FABRICATING SEMICONDUCTOR DEVICE WITH SEPARATE PERIPHERY AND CELL REGION ETCHING STEPS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1370 1400	\$300	\$1670 1700	02/22/2005
EXAMINER	ART UNIT	CLASS-SUBCLASS			
NHU, DAVID	2818	438-700000			

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Slater & Matsil, L.L.P.

2

3

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Taiwan Semiconductor Manufacturing Company, Ltd. Hsin-Chu, Taiwan

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are enclosed:

- ☒ Issue Fee
- ☒ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies _____

4b. Payment of Fee(s):

- ☐ A check in the amount of the fee(s) is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☒ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 50-1065 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

Date February 21, 2005

Typed or printed name Steven H. Slater

Registration No. 35,361

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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**United States
Patent and
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Page**Deposit Account Statement**

Requested Statement Month:

February 2005

Deposit Account Number:

501065

Name:

SLATER & MATSIL, LLP

Attention:

IRA S MATSIL

Address:

17950 PRESTON RD

City:

DALLAS

State:

TX

Zip:

75252

Country:

UNITED STATES OF AMERICA

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
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02/25 7	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

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